



## APPENDIX C – STATUTORY COMPLIANCE TABLE

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
<b>NSW Biodiversity Conservation Act 2016 (BC Act)</b>			
Section 7.14	The likely impact of the proposed development on biodiversity values as assessed in the Biodiversity Development Assessment Report (BDAR). The Minister for Planning may (but is not required to) further consider under that BC Act the likely impact of the proposed development on biodiversity values.	<p>The proposed works will not have a significant impact on biodiversity values as the site is predominantly hardstand and has been previously cleared for an industrial use.</p> <p>The site is occupied with planted native and exotic trees and shrubs within garden beds surrounding the building and carpark. The only potential plant community type (PCT) identified on the subject site is considered to be a modified assemblage of Swamp Oak Floodplain Forest fringing estuaries of the Sydney Basin and South East Corner Bioregions (PCT 1234). PCT 1234 is equivalent to threatened ecological communities under the BC Act.</p> <p>PCT 1234 cumulatively covers 0.12ha occurring as scattered patches along the western boundary, which comprises a mix of planted non-local native trees and locally occurring species. Offset has been provided along the western side of the site to mitigate impact on 0.12ha of PCT 1234.</p> <p>The 0.19ha of planted native vegetation and approximately 0.13ha of planted exotic vegetation do not require offsetting.</p>	<b>Section 6.1.7 and Appendix S</b>

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
		<p>The subject site does not provide any habitat important to the survival of threatened species under the BC Act or threatened and migratory species listed under the EPBC Act.</p> <p>The proposal provides mitigation measures to prevent any indirect impacts on retained vegetation, native fauna, and ecosystems both on the subject site and within the surrounding environments.</p>	
<b>Environmental Planning and Assessment Act</b>			
Section 1.3	<i>To promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,</i>	The proposed development will promote the economic welfare of the community by providing employment opportunities on a vacant industrial zoned site, whilst minimising any impacts on amenity.	<b>Section 6 and Section 7</b>
	<i>To facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,</i>	The proposal addresses the principles of ESD being; the precautionary principle, intergenerational equity, conservation of biological and ecological integrity and improved valuation, pricing and incentive mechanisms in accordance with the requirements of the <i>Environmental Planning and Assessment Regulation 2000</i> and as outlined in the main body of the EIS.	
	<i>To promote the orderly and economic use and development of land,</i>	The proposed development provides for the highest and best use of the site through the development of brownfield vacant industrial land in accordance with the strategic industrial allocation. The proposal will deliver a state-of-the-art facility	

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
		and will be one of Sydney's primary multi-level warehousing and distribution centres.	
	<i>To protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,</i>	The site contains a large industrial warehouse that will be demolished. As such, the environmental value of the site is of nominal significance. The subject site is not known to contain any threatened native animals, plants or ecological communities.	
	<i>To promote good design and amenity of the built environment,</i>	The proposed development is strategically designed to ensure good design is delivered. The built form is wrapped in a fluid and dynamic façade that is sympathetic to surrounding developments, ensuring the overall amenity of surrounding developments is maintained.	
Section 4.15	Relevant environmental planning instruments: <ul style="list-style-type: none"> <li>▪ Transport and Infrastructure SEPP 2021</li> <li>▪ Resilience and Hazards SEPP 2021</li> <li>▪ Industry and Employment SEPP 2021</li> <li>▪ Planning Systems SEPP 2021</li> <li>▪ Biodiversity and Conservation SEPP 2021</li> </ul>	See detail below under State Environmental Planning Policies (SEPPs).	-
	Draft environmental planning instruments:	See detail below under SEPPs.	-

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
	<ul style="list-style-type: none"> <li>Draft State Environmental Planning Policy (Remediation of Land)</li> </ul>		
	Relevant planning agreement or draft planning agreement	There is no planning agreement relevant to the site.	-
	<i>Environmental Planning and Assessment Regulation 2021</i> – Section 173	This EIS has been prepared in accordance with Section 173 of the Environmental Planning and Assessment Regulation 2021.	-
	Development control plans: <ul style="list-style-type: none"> <li>Cumberland Development Control Plan 2021 (CDCP 2021)</li> </ul>	See detail below under Development Control Plan.	-
	The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.	The likely impacts of the development are assessed in detail within the EIS.	<b>Section 6</b>
	The suitability of the site for the development	The suitability of the site for the proposed development is demonstrated in the EIS.	<b>Section 2</b> and <b>Section 7</b>
	Any submissions made	Submissions will be considered following exhibition of the application.	-
	The public interest	The proposed development complies with the relevant planning instruments and controls applying to the site. The proposal will not create any adverse social, economic, or	<b>Section 7</b>

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
		environmental impacts which cannot be mitigated via the proposed mitigation measures and is considered suitable for the site. On balance, the development is in the public interest.	
<b>Environmental Planning and Assessment Regulation 2021</b>			
Section 173	Section 173 of the EP&A Reg provides that environmental assessment requirements will be issued by the Secretary with respect to the proposed EIS.	This EIS has been prepared to address the requirements of Section 173 of the EP&A Regulations and the SEARs.	<b>Appendix A</b>
<b>State Environmental Planning Policies</b>			
<i>State Environmental Planning Policy (Planning Systems) 2021</i>	<p>Schedule 1 of the Planning Systems SEPP identifies development that is State significant development, typically based on the proposed land use activities, estimated cost and/or potential environmental impacts. Clause 12 states:</p> <p><i>(1) Development that has a capital investment value of more than the relevant amount for the purpose of warehouses or distribution centres (including container storage facilities) at one location and related to the same operation.</i></p> <p><i>(2) This section does not apply to development for the purposes of warehouses</i></p>	<p>Clause 12(3)(a) of Schedule 1 of the Planning Systems SEPP provides that development for the purpose of warehouse or distribution centre that has a CIV of more than \$30 million is classified as SSD.</p> <p>The proposed works have an estimated CIV of \$76,494,076 (excluding GST) and accordingly, the proposal is SSD for the purposes of the Planning Systems SEPP.</p> <p>DPE has confirmed the proposal is deemed State significant in accordance with the above clause. Accordingly, a State significant development application ('SSDA') will be lodged with DPE.</p>	<b>Appendix CC</b>

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
	<p><i>or distribution centres to which section 18 or 19 applies.</i></p> <p><i>(3) In this clause – relevant amount means –</i></p> <p><i>(a) for development in relation to which the relevant environmental assessment requirements are notified under the Act on or before 31 May 2023—\$30 million, or</i></p> <p><i>(b) for any other development—\$50 million.</i></p>		
State Environmental Planning Policy (Resilience and Hazards) 2021	Chapter 3 of the Resilience and Hazards SEPP applies to any proposals which fall under the policy’s definition of ‘potentially hazardous industry’ or ‘potentially offensive industry’.	The proposed warehouse and distribution centre is not proposed to store dangerous goods on site. It is acknowledged a condition may be imposed on any development consent requiring further approval should a future tenant seek to vary from this proposal.	-
	<p>Chapter 4 of the Resilience and Hazards SEPP relates to remediation of land.</p> <p>Clause 4.6 states that land must not be rezoned or developed unless contamination has been considered and, where relevant, land has been appropriately remediated.</p>	<p>A Preliminary Site Investigation (PSI) was completed for the site by Douglas Partners in March 2017. The PSI concluded that there was a moderate potential for contamination at the site.</p> <p>A Detailed Site Investigation (DSI) was prepared by JBS&amp;G for the site, dated 13 April 2022. The DSI investigated potential contamination at the site and assessed the suitability of the site for the proposed use. In summary, JBS&amp;G considered the site can be made suitable for the proposed development provided the recommendations outlined within the DSI are implemented.</p>	<b>Appendix W and Section 6.1.3</b>

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
		<p>In accordance with the contamination and remediation considerations required for development under chapter 4 of the Resilience and Hazards SEPP, the EIS demonstrates that:</p> <ul style="list-style-type: none"> <li>▪ it has been considered whether the land is contaminated;</li> <li>▪ if the land is contaminated, the land has been made suitable, after remediation, for the purpose for which the development is proposed to be carried out; and</li> <li>▪ if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land has been remediated before the land is used for that purpose.</li> </ul>	
<p><i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i></p>	<p>Chapter 2 of the Transport and Infrastructure SEPP provides a State wide approach to deliver infrastructure across NSW. It applies to a range of different infrastructure types, including approvals pathways, referral requirements and the like.</p> <p>Consideration will likely be given to Schedule 3 relating to 'traffic generating development' requirements which will trigger a referral of the development to Transport for NSW for their comment. If the matter is deemed a local DA, the integrated provisions would be likely be triggered.</p>	<p>The proposed development requires referral to TfNSW.</p>	<p><b>Appendix M</b></p>

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
	Traffic generating development specified at Clause 2.121 requiring referral to Transport for NSW (TfNSW) includes: Warehouse or Distribution Centres.		
<i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i>	Chapter 10 of the <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021 (Biodiversity and Conservation SEPP)</i> relates to the Sydney Harbour Catchment.	<p>The site is within the Sydney Harbour Catchment boundary, as shown on the map “Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 Sydney Harbour Catchment Map (Amendment 2016)”. As such the Biodiversity and Conservation SEPP is applicable to this proposal. The site is however not located within the following zones:</p> <p><i>(a) the Foreshores and Waterways Area, and</i></p> <p><i>(b) various strategic foreshore sites, as shown on the Strategic Foreshore Sites Map, and</i></p> <p><i>(c) various heritage items, as shown on the Heritage Map, and</i></p> <p><i>(d) the Sydney Opera House buffer zone, as shown on the Sydney Opera House Buffer Zone Map, and</i></p> <p><i>(e) various wetlands protection areas, as shown on the Wetlands Protection Area Map.</i></p> <p>Clause 10.10 of the Biodiversity and Conservation SEPP states the planning principles for land within the Sydney Harbour Catchment. The proposed development will not have an impact on the ecological communities or hamper the</p>	<b>Section 6</b>



Statutory Reference	Relevant Considerations	Relevance	Section in EIS
		visual qualities of the Sydney Harbour. As such, the proposal is deemed appropriate.	
State Environmental Planning Policy (Industry and Employment) 2021	A person must not display an advertisement, except with the consent of the consent authority or except as otherwise provided by this Policy.	Chapter 3 of Industry and Employment SEPP provides guidelines for the provision of signage across NSW. For industrial proposals, ancillary business identification signage is to be assessed in accordance with the Chapter 3 objectives and the assessment criteria provided under Schedule 5.	Appendix B
	Schedule 5 Assessment Criteria	Compliance	
	1 Character of the area		
	Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?	Yes, the proposal will be undertaken within an existing industrial precinct that contains signage for business identification purposes. The proposal is consistent with the surrounding industrial land uses and character.	
	Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	Yes, as above.	
	2 Special areas		
	Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas.	No, the site is suitably removed from sensitive receptors including residential areas, open space and heritage items.	

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
	<i>waterways, rural landscapes or residential areas?</i>		
	<b>3 Views and vistas</b>		
	<i>Does the proposal obscure or compromise important views?</i>	No, signage will not be positioned to obstruct any important views.	
	<i>Does the proposal dominate the skyline and reduce the quality of vistas?</i>	No, the development will be of a size and design suitable for the intended use and context. Further, the signage will not be dominant on the skyline given the position of the signage located to the front of the building and on the eastern façade of the building, in a location that is well below the roof level.	
	<i>Does the proposal respect the viewing rights of other advertisers?</i>	Yes, the development will not obstruct viewing towards any other signage.	
	<b>4 Streetscape, setting or landscape</b>		
	<i>Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?</i>	Yes, the size and scale of the signage is appropriate for the setting provided on the site and the location of the site within the Lidcombe industrial precinct.	
	<i>Does the proposal contribute to the visual interest of the streetscape, setting or landscape?</i>	Yes, the signage is to be used to provide identification and direction in a manner that respects the urban setting, architectural design and landscape.	
	<i>Does the proposal reduce clutter by rationalising and simplifying existing advertising?</i>	Yes, the number of signs has been limited to reduce the visual impact of the proposal.	

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
	<i>Does the proposal screen unsightliness?</i>	The signage will not be used as a visual screen or filter.	
	<i>Does the proposal protrude above buildings, structures or tree canopies in the area or locality?</i>	No, the signage will not be dominant on the skyline. It will be located below the roof level.	
	<i>Does the proposal require ongoing vegetation management?</i>	No.	
	<b>5 Site and building</b>		
	<i>Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?</i>	Yes, the signage will be of suitable scale and design for its intended purpose. The signage will only occupy a small proportion of the building façade and overall site area.	
	<i>Does the proposal respect important features of the site or building, or both?</i>	Yes, the signage will not be the dominant visual feature of the building and will remain below the roof line.	
	<i>Does the proposal show innovation and imagination in its relationship to the site or building, or both?</i>	Yes, signage will be logically positioned to identify the warehouse and distribution centre and tenants. The sign also contributes to the industrial character of the precinct.	
	<b>6 Associated devices and logos with advertisements and advertising structures</b>		
	<i>Have any safety devices, platforms, lighting devices or logos been designed as an</i>	Yes, appropriate lighting will be provided to illuminate the signage.	

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
	<i>integral part of the signage or structure on which it is to be displayed?</i>		
	<b>7 Illumination</b>		
	<i>Would illumination result in unacceptable glare?</i>	No, signage will be designed to avoid unacceptable glare.	
	<i>Would illumination affect safety for pedestrians, vehicles or aircraft?</i>	No impact on the safety of pedestrians, vehicles or aircraft is to result from the intended lighting.	
	<i>Would illumination detract from the amenity of any residence or other form of accommodation?</i>	The site is suitably removed from sensitive receptors.	
	<i>Can the intensity of the illumination be adjusted, if necessary?</i>	Intensity of illumination would be adjusted through replacement of bulb wattage.	
	<i>Is the illumination subject to a curfew?</i>	No curfew will apply to the proposed sign lighting.	
	<b>8 Safety</b>		
	<i>Would the proposal reduce the safety for any public road?</i>	No, the signage will not be positioned to cause any hazard for any road.	
	<i>Would the proposal reduce the safety for pedestrians or bicyclists?</i>	No, the signage is not considered to reduce safety for pedestrians or bicyclists.	
	<i>Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?</i>	No, the signage will not cause disruption of any sightlines from public areas in relation to safety.	

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
<b>Draft Environmental Planning Instruments</b>			
Draft State Environmental Planning Policy (Remediation of Land)	The Explanation of Intended Effect (EIE) for the draft SEPP was on exhibition from 31 January 2018 until 13 April 2018. The draft SEPP will retain the key operational framework of the Resilience and Hazards SEPP and add new provisions relating to remediation works. The assessment under the Resilience and Hazards SEPP remains relevant to the draft SEPP.	The Explanation of Intended Effect (EIE) for the draft SEPP was on exhibition from 31 January 2018 until 13 April 2018. The draft SEPP will retain the key operational framework of the Resilience and Hazards SEPP and add new provisions relating to remediation works. The assessment under the Resilience and Hazards SEPP remains relevant to the draft SEPP	<b>Appendix W and Section 6.1.3</b>
<i>Cumberland Local Environmental Plan 2021</i>	The subject site is located on land that is subject to assessment under the CLEP 2021.	<p><i>Cumberland Local Environmental Plan 2021</i> (CLEP 2021) is the principal environmental planning instrument applying to the site. The site is located within the IN1 General Industrial zone.</p> <p>Warehouse or distribution centres are permitted within the zone with consent. The proposal is consistent with the zone objectives as it:</p> <ul style="list-style-type: none"> <li>Will meet current and future industrial needs, by providing a multi level warehouse.</li> <li>Will contribute to a range of goods and services and employment opportunities including delivering 275 jobs per day through the construction phase and up to 406 jobs once operational</li> <li>Has been carefully designed to mitigate any adverse impacts on the amenity, health or safety of the residential</li> </ul>	<p><b>Section 2, 3, 6 and 7.</b></p> <p><b>Appendix U, P, J and K.</b></p>

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
		<p>area to the east and south of the site, including the potential for traffic, air quality or noise impact</p> <ul style="list-style-type: none"> <li>Will support and protect industrial use by retaining an existing industrial use on site and by building a new facility which will safeguard industrial uses into the future.</li> </ul>	
	Clause 4.3 - Height of buildings	NA - There is no maximum height control applicable on site.	
	Clause 4.4 – Floor space ratio	A maximum floor space ratio (FSR) of 1:1 is applicable to the site. The proposed FSR is 0.96:1 and complies.	
	Clause 5.10 – Heritage conservation	The site does not contain a heritage item and is not in a heritage conservation area. The site is in close vicinity to heritage items, however, the proposed development does not adversely impact the heritage significance of the surrounding developments, as discussed in the Statement of Heritage Impact attached at <b>Appendix K</b> .	
	Clause 5.21 – Flood planning	The proposed development aims to avoid adverse or cumulative impacts on flood behaviour and the environment. Refer to Civil Engineering Report attached at <b>Appendix V</b> .	
	Clause 6.1 – Acid sulfate soils	The site contains Class 2 and Class 5 acid sulfate soils. Appropriate measures will be employed during construction as outlined in the Acid Sulfate Soil Management Plan (refer <b>Appendix AA</b> ).	
<b>Cumberland Development Control Plan 2021</b>			

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
Part A – Introduction and General Controls	<ul style="list-style-type: none"> <li>Cumberland DCP 2021 is to provide specific controls to guide development and achieve particular development outcomes within the Cumberland City.</li> </ul>	The relevant controls under Cumberland DCP are provided below.	-
Part D Development in Industrial Zones  2.1 Setbacks and streetscape character	<p><u>Front setback</u></p> <p>Front setbacks are to be 5m. Where the prevailing building setbacks within the street are significantly different, consideration will be given to an alternative setback.</p> <p><u>Side and rear setbacks</u></p> <p>Buildings may be built on a nil side or rear setback, except where a setback is required to screen buildings from:</p> <ul style="list-style-type: none"> <li>public places;</li> <li>adjoining residential properties;</li> <li>other sensitive land uses;</li> <li>where rear access is required; and</li> <li>where land adjoins the M4 Motorway.</li> </ul>	<ul style="list-style-type: none"> <li>The proposed front setback is a minimum of 17.7m. Landscaping is provided along the site boundaries. The proposed 17.7m front setback is free of car parking spaces and loading/unloading area.</li> <li>The proposed building provides a greater setback than nil setback to the side and rear boundaries and therefore complies with the DCP.</li> </ul>	<b>Appendix B</b>
2.2 Siting and building design	<p>Use non-industrial aspects of a development (e.g. offices) to address the street.</p> <p>Avoid long blank walls of warehouse units, by providing articulation to the façade or</p>	<ul style="list-style-type: none"> <li>The site does not have a direct frontage to the street.</li> <li>The proposed development is constructed of lightweight metallic panels. The ancillary office component of the development is designed to have aluminium cladding</li> </ul>	<b>Section 3 and 6 Appendix F</b>

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
	<p>division of massing, especially on street frontages.</p> <p>Architecturally express the structure of the building externally to address the primary street frontage and minimise use of reflective glass or large blocks of one material.</p> <p>Roof ventilation, exhaust towers, mechanical plant and the like should be located so as not to be readily visible from any public or residential area.</p> <p>All rooftop or exposed structures including lift motor rooms, plant rooms, together with air conditioning, ventilation and exhaust systems, are to be integrated into the building design in order to ensure interesting and high quality appearance.</p>	<p>with gently curved edges, creating a softer finish to the corners. The proposed Level 1 car park will have metal mesh façade to allow maximised visibility. These materials allow for a well-articulated and modulated design, sympathetic to existing buildings in the vicinity.</p> <ul style="list-style-type: none"> <li>▪ The roof design has influenced the design for the entire building and the reflectivity of proposed materials has been limited through the choice of opaque materials.</li> <li>▪ The proposed solar panels will be integrated with the overall roof design. The exact sizing, configuration and final design will be completed during the detailed design development stage of the project.</li> </ul>	
2.3 External materials	Lighter colours shall be used on external walls of the building to reduce heat gain in summer, especially for building facades facing east, west and north.	The proposed materials and finishes are light in colour to limit absorption of excessive heat. The proposal contributes to visual amenity of the urban environment through appropriate selection of materials and colours.	<b>Section 3 and Appendix F</b>
2.4 Solar access	If adjoining residential, public open space or sensitive land uses (e.g. schools) already receives less than 3 hours of sunlight, any reduction may be unacceptable.	<p>The proposed development does not adjoin a development containing residential uses, public open space or a sensitive land use.</p> <p>The proposal achieves a high level of amenity and satisfies the thermal comfort requirements. The proposal provides a</p>	<b>Section 3 and 6 Appendix F</b>



Statutory Reference	Relevant Considerations	Relevance	Section in EIS
	Buildings shall be oriented towards the north so that they make best use of solar access to lower heating and cooling costs.	visually interesting architectural form which maximises good solar access and ventilation.  Shadow diagrams have been prepared by SBA ( <b>Appendix A</b> ) which illustrate the proposed shadows as required. The drawings demonstrate the impact is minimal and deemed acceptable.	
2.6 Pedestrian and cyclist facilities	<p>Pedestrian access to private land shall be provided as part of the internal circulation network.</p> <p>Bicycle parking is to be provided as specified in AS 2890.3 – <i>Bicycle Parking Facilities</i>. Bicycle parking shall be located in a safe and secure location that is covered and convenient for users.</p> <p>Trip end facilities including showers and lockers must be provided to adequately service the number of bicycle parking spaces required for industrial development as per the provisions set out in Part G3.</p>	<p>The proposal utilises the existing access from Boorea Street. Pedestrian access forms part of the internal circulation network.</p> <p>The proposal provides 34 bicycle parking spaces and 30 showers including a male, female and disabled shower which complies with Part G3 of the DCP.</p> <p>The proposal provides secure and easily accessible bicycle parking spaces on the ground floor. The proposed parking spaces comply with the relevant Australian Standards.</p>	<b>Section 3 and 6 Appendix I</b>
2.7 Public domain improvements	<ul style="list-style-type: none"> <li>All areas not built-upon shall be landscaped to soften the impact of buildings and car parking areas.</li> <li>A minimum of 15% of the site shall be provided and maintained as soft landscaping, with lawns, trees, shrubs,</li> </ul>	<ul style="list-style-type: none"> <li>Landscape Plans have been prepared by Geoscape (<b>Appendix S</b>). The site will provide a total of 4,552sqm of landscaped area, comprising 12% of the site area. A total of 134 trees are to be planted, providing a canopy cover of 4,146sqm (11% of site area).</li> </ul>	<b>Section 3 and 6 Appendix R</b>

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
	for aesthetic purposes and the enjoyment of workers of the site.	<ul style="list-style-type: none"> <li>The proposal includes landscaping along the site boundaries to provide an enhanced landscaped and urban design outcome. The planting palette is appropriate for the site, including native trees, shrubs and groundcovers.</li> </ul>	
2.10 Safety and security	<ul style="list-style-type: none"> <li>Provide details on measures to be undertaken to safeguard workers, clients and the general public. Such details are to include:</li> <li>A crime risk assessment against the Crime Prevention and the Assessment of Development Applications” Guidelines is to be undertaken for larger developments. The recommendations of the assessment shall be used to inform the design and operation of the development.</li> </ul>	The entries and internal circulation networks will be appropriately lit at night to enhance safety, visibility and legibility. The proposal will increase activity on site during the day and evening by providing new 24-hour operating warehouse development. The proposal reduces conditions that offenders can use to rationalise or excuse criminal behaviour.	<b>Appendix B</b>
2.11 Fencing	<p>Ensure all fencing along the principal street frontage is an open/permeable style, incorporating pickets, slats, palings or the like.</p> <p>Fencing along the street frontage shall be a maximum height of 1.8m and incorporated with appropriate landscaping.</p>	Fencing is proposed along the northern and western boundary of the site for security purposes and is proposed be permeable metal palisade with a maximum height of 1.8m. The existing chain-link fence located along the eastern boundary of the site will be retained.	<b>Section 3 and Appendix R</b>

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
	Fences behind the front setback shall be a maximum of 2.1m and incorporated with appropriate landscaping.		
2.12 Operational management	<p><u>Hours of operation</u></p> <p>Where an industrial site is located adjoining or adjacent to, or within 200m of residential development, or where in the opinion of Council, truck movements associated with the industry will intrude on residential streets, hours of operation shall generally be restricted to 7am to 6pm Monday to Saturday with no work on Sundays.</p> <p>Where an extension to the above hours is required due to the nature of the activities to be undertaken, a detailed submission shall be lodged with Council, demonstrating how environmental impacts can be minimised to acceptable levels to support the proposed extended hours of operation inclusive of an acoustic report and operation management plan.</p>	<p>The development is proposed to operate 24 hours a day. The proposal provides mitigation measures to ensure surrounding developments remain unaffected.</p>	Section 6
	<p><u>Environmental management plan</u></p> <p>An Environmental Management Plan (EMP) shall be submitted with the application if the development is considered to pose a high</p>		

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
	<p>risk of adverse environmental impacts. The plan should detail how all environmental impacts will be controlled and/or managed within the site during ongoing operation of the development. Depending on the extent Cumberland DCP – Part D – Development in Industrial Zones Page D13 of D16 and nature of the proposal under consideration, this could include but may not be limited to:</p> <ul style="list-style-type: none"> <li>▪ noise and vibration control;</li> <li>▪ surface water management and stormwater protection;</li> <li>▪ trade waste arrangements (if applicable);</li> <li>▪ control and treatment of air emissions;</li> <li>▪ dust and erosion control (including stockpiles, if applicable);</li> <li>▪ waste management, including handling of potentially contaminated material;</li> <li>▪ identification of relevant person/s on site who are responsible for control strategies, including their position title and contact details; and</li> </ul>		

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
	<ul style="list-style-type: none"> <li>details of complaints handling arrangements.</li> </ul>		
	<p><u>Noise</u></p> <p>Sources of noise, such as plant equipment and machinery, shall be sited away from adjoining properties as far as practicable and, where necessary, screened by walls or other acoustical treatment.</p> <p>Operations are to be conducted so as to avoid unreasonable noise and interference to adjoining development, particularly residential development.</p>	A Noise Impact Assessment has been prepared by an acoustic engineer. Detailed consideration was given to the potential acoustic impacts of the facility regarding heavy vehicle noise. The noise outputs from the facility have been deemed appropriate.	<b>Section 6.1.9 and Appendix O</b>
2.13 Environmental management	<p><u>Air quality</u></p> <p>Details of any equipment, processes and air pollution control or monitoring equipment shall be submitted to Council with a development application including an assessment of air quality according to EPA standards.</p>	An Air Quality Impact Assessment has been prepared by RWDI. The proposed development has been thoughtfully designed to mitigate any adverse impacts on the amenity and health of residential zones located further east, south, and west of the site and is considered appropriate from an air quality perspective.	<b>Section 6.1.8 and Appendix N</b>
	<p><u>Waste</u></p> <p>An on-going waste management plan is required to be submitted with the application to detail how all solid and liquid wastes</p>	A Waste Management Plan (WMP) has been prepared by JBS&G in accordance with the relevant NSW guidelines. The WMP provides details regarding demolition, construction and operational waste and recycling management, as well as details as to the method of operational waste collection,	<b>Section 6.1.14 and Appendix X</b>

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
	<p>handled on site will be managed. The plan may include, but is not limited to, details on:</p> <ul style="list-style-type: none"> <li>all waste storage areas (including internal and external areas/rooms);</li> <li>waste collection arrangements, including collection location and times/frequency;</li> <li>measures to prevent potential pollution from waste storage/handling activities on site;</li> <li>any trade waste arrangements; and</li> <li>measures for dealing with contaminated and/or hazardous waste.</li> </ul>	frequency in which it occurs as well as the location of the waste removal.	
	<p><u>Sustainability and energy efficiency</u></p> <p>Improve the efficiency of hot water systems by:</p> <ul style="list-style-type: none"> <li>providing solar powered hot water systems where possible. Solar and heat pump systems must be eligible for at least 24 Renewable Energy Certificates (RECs) and domestic type gas systems must have a minimum 3.5 star energy efficiency rating;</li> <li>insulating hot water systems; and</li> </ul>	<p>The design team have utilised passive design principles to minimise the amount of air-conditioning required and maximise thermal comfort for future building occupants, significantly reducing the building's energy consumption and greenhouse gas emissions.</p> <p>The proposal achieves a high level of amenity and satisfying the thermal comfort requirements. The proposal provides a visually interesting architectural form which maximises good solar access and ventilation to internal areas of the development.</p>	<b>Section 6.1.6 and Appendix Z</b>

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
	<ul style="list-style-type: none"> <li>installing water saving devices, such as flow regulators, 3 stars Water Efficiency Labelling and Standards Scheme (WELS Scheme) rated shower heads, dual flush toilets and tap aerators.</li> </ul>	<p>As per the ESD Performance Statement at Appendix BB, the proposed development incorporates the following sustainability initiatives:</p> <ul style="list-style-type: none"> <li>Space efficient building layout.</li> <li>Water Sensitive Urban Design principles</li> <li>High Efficiency Electrical Systems</li> <li>Large scale on-site renewable energy generation</li> <li>Increased use of daylighting to reduce power usage</li> <li>Installation of a rainwater capture and reuse system for all buildings on-site</li> <li>Energy Efficient heating, ventilation and air conditioning including natural ventilation to open spaces.</li> <li>Waste Minimisation strategies.</li> <li>Alignment of Sustainability Strategy to the Green Star Building rating tool.</li> </ul> <p>Through the implementation of the initiatives as noted above, the proposal demonstrates commitment to ESD principles throughout the design, construction, and operation. Additionally, the project design team has worked to optimise the sites energy performance, address key climate related risks posed to the site, align the project to the NSW Government's commitment to carbon neutrality by 2050, and</p>	

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
		benchmarked the project to industry best practice sustainability.	
	<p>The amount of exposed glazing to the eastern and western facades of buildings shall be minimised.</p> <p>Building design shall minimise reliance on existing energy supplies through the use of renewable energy sources including incorporation of photovoltaic cells, wind turbines, battery storage and solar hot water wherever practicable.</p>	<p>The proposed development limit usage of glazing along the eastern and western façade.</p> <p>The proposed development proposes to incorporate a solar photovoltaic (PV) system. The exact sizing, configuration and final design will be completed during the detailed design development stage of the project. The large solar PV system will generate clean energy for the building to offset the greenhouse gas emissions.</p> <p>The development located east of the site at 25 Nyrang Street is known to have photovoltaic systems on the building rooftop which remains unaffected by the proposed building envelope (refer to Shadow Diagrams provided as part of the Architectural Plans (Appendix B).</p>	<b>Section 3 and Appendix B</b>
Part G1 – Advertising and signage	<p>Advertising and signage shall be displayed in English but may include a translation in another language.</p> <p>Content of signage shall not be offensive in nature</p> <p>Ensure that the visual and physical amenity of a locality is not impaired by a proliferation of signs.</p>	<p>The proposal provides six business identification signage which will be in the form of a pylon sign and wall signs. Yes, the size and scale of the signage is appropriate for the setting provided on the site and the location of the site within the Lidcombe industrial precinct. The signage will be illuminated and provide clear information such as the business name and will be effectively communicated for people visiting the site (refer to Signage Plans provided as part of the Architectural Plans (Appendix B).</p>	<b>Appendix B and Appendix C</b>



Statutory Reference	Relevant Considerations	Relevance	Section in EIS
Part G3 – Traffic, Parking, Transport and Access (Vehicle)  3 Parking rates	<p><b><u>Parking rates</u></b></p> <p><b>Commercial (office)</b></p> <ul style="list-style-type: none"> <li>Car parking rate: 1 space / 40m<sup>2</sup> GFA</li> </ul> <p>Bicycle parking rate:</p> <ul style="list-style-type: none"> <li>Staff: 1 space / 10 employees</li> <li>Visitor: 1 space / 750 m<sup>2</sup> over 1000 m<sup>2</sup></li> </ul> <p><b><u>Warehouse</u></b></p> <ul style="list-style-type: none"> <li>Car parking rate: 1 space / 300m<sup>2</sup> GFA</li> <li>Bicycle parking rate: NA</li> </ul>	<p>The proposed GFA for the individual building components are as follows:</p> <ul style="list-style-type: none"> <li>Warehouse: 24,893sqm</li> <li>Office: 4,161sqm</li> </ul> <p>A total of 187 car parking spaces are required (including 83 spaces for the warehouse use and 104 for offices). The proposed development will provide 191 car parking spaces which complies with the CDCP requirement.</p>	<b>Section 6.1.4 and Appendix M</b>
4.5 Development in industrial zones	<p>Car parking areas, particularly large areas shall be landscaped so as to break up large expanses of paving. Landscaping shall be required around the perimeter and within large carparks.</p> <p>In open parking areas, 1 shade tree per 10 spaces shall be planted within the parking area.</p>	<p>The proposed parking is integrated with site planning and landscaping and is of adequate dimensions to facilitate convenient and safe usage.</p> <p>The car parking area at ground level on the southwestern side of the building is broken up with landscaping (which will incorporate trees where possible) between every 3 parking spaces. Some landscaping is provided at ground level adjacent to the carparking area on the south eastern side of the site and some of upper parking levels are screened by a mesh screen. This screening will ensure the carpark is integrated into the design.</p>	<b>Appendix R</b>

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
4.6 Loading requirements for commercial and industrial development	<p>Industrial/warehouse, bulky goods retail and wholesale supplies:</p> <ul style="list-style-type: none"> <li>1 space / 800m<sup>2</sup> GFA up to 8,000m<sup>2</sup> GFA, plus</li> <li>1 space / 1,000m<sup>2</sup> thereafter</li> <li>Loading/unloading areas shall be provided in accordance with applicable provisions of Australian Standard (AS 2890).</li> <li>Provide separation between parking and service areas (i.e. loading/unloading areas).</li> </ul>	<ul style="list-style-type: none"> <li>A total of 43 service vehicle parking spaces are provided to service the warehouse tenancies.</li> <li>The loading docks are separate to the car parking areas with separate ramps.</li> <li>The proposed loading docks have been designed in accordance with relevant Australian Standards.</li> </ul>	<b>Section 6.1.4 and Appendix M</b>
<p>Part G4 – Stormwater and Drainage</p> <p>2.7 Water Sensitive Urban Design, water quality and water re-use</p>	<p><u>Water Sensitive Urban Design (WSUD)</u></p> <ul style="list-style-type: none"> <li>All development applications for sites of 2,500m<sup>2</sup>, or more in area must be supported by a Water Sensitive Urban Design Strategy, prepared by a qualified civil engineer with suitable experience.</li> </ul>	The Civil Engineering Report assesses the stormwater quality.	<b>Appendix U</b>
Part G7 – Tree Management	<ul style="list-style-type: none"> <li>A Tree Protection Zone (TPZ) must be established as per AS4970-2009 before the commencement of construction, for</li> </ul>	An Arboricultural Impact Assessment is prepared by Canopy Consulting. A tree protection zone (TPZ) is provided for trees	<b>Section 6.1.5 and Appendix p</b>

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
and Landscaping 2.7 Construction	the protection of existing trees nominated for retention, and shall remain in place until the end of construction.	to be retained to ensure impact of construction activities on these trees is minimised.	
Part G8 – Waste Management 3.1 Demolition and construction	<ul style="list-style-type: none"> <li>All materials that arise from demolition and construction shall comply with a Waste Management Plan (WMP) before recycling or disposal.</li> </ul>	A Waste Management Plan has been prepared by JBS&G and is attached at <b>Appendix Z</b> .	<b>Section 6.1.14 and Appendix X</b>
3.2 Commercial development	<p>The number of bins required and size of storage area will be calculated against the current standard NSW commercial waste generation rates are those established by the Combined Sydney Region of Councils set out below:</p> <p><u>Warehouse</u> –</p> <p>Waste and Recycling Generation: 30L/100m2 floor area/day</p>	<p>The proposal will generate 10litres per 100m2 per day of waste and of recycling for office and for the warehouse component.</p> <p>This culminates in a waste generation of approximately 19,460 litres per week and a recycling generation of approximately 19,460 litres per week for the assumed site activities. This current estimate is based on generic office and warehouse/distribution centre uses. It is expected that actual waste quantities and composition will depend on the final activities of the site</p>	<b>Section 6.1.14 and Appendix X.</b>
3.4 Waste chute and service room requirements	<ul style="list-style-type: none"> <li>Chute must be constructed in accordance with the requirements of the Building Code of Australia (BCA).</li> </ul>	All waste facilities will comply with the Building Code of Australia (BCA) and all relevant Australian Standards (AS) in accordance with the requirements of Cumberland DCP (2021).	<b>Section 6.1.14 and Appendix X</b>

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
	<ul style="list-style-type: none"> <li>Chute must be cylindrical and have a diameter of at least 500mm.</li> </ul>		
3.6 Collection area requirements	<ul style="list-style-type: none"> <li>All developments must allocate a suitable collection point for collection of waste and recycling bins from either inside the development (on-site) or from kerbside (off-site).</li> </ul>	A communal waste collection point must be nominated for the site. Appointed waste contractors shall bring waste from the designated waste storage area to the curb for collection at nominated times in accordance with the relevant waste contract.	<b>Section 6.1.14 and Appendix X</b>
3.7 Collection vehicle requirements	<ul style="list-style-type: none"> <li>Proposed developments that require a waste collection vehicle to enter the site for the collection of waste, a swept path analysis for a 10.5m HRV with a height clearance of 4.5m must be clearly demonstrated in the Architectural Plans, Waste Management Plan, and Traffic and Transport Management Plan. If a hook lift bin is to be used, the height clearance will increase and greater height clearance will be required.</li> <li>The proposed development must have sufficient manoeuvring area on site to allow for a HRV to enter and leave the site in a forward direction and service the development with minimal or no need to reverse.</li> <li>The grades of entry and exit routes must not exceed the capabilities of the waste</li> </ul>	Swept Paths for Heavy Rigid Vehicle is provided in the Traffic Assessment, which demonstrates there is sufficient height and area for manoeuvring.	<b>Appendix M.</b>

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
	<p>collection vehicle and must comply with AS 2890.2.</p> <ul style="list-style-type: none"> <li>The truck loading area is to include an extra 2m length at the rear of the vehicle for bins to be loaded and emptied into the truck.</li> </ul>		